

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Tuesday, February , 2012

*** MORNING HOT LIST ***

Fracking's Toll on Pets, Livestock Chills Pennsylvania Farmers

BLOOMBERG BUSINESS NEWS Smelling gas one morning, a southern Pennsylvania farmer almost passed out when he went outside to check on his bellowing cows. One of the animals did keel over, kicking its feet in spasms. A couple of days later, a calf was fighting for its life, the farmer said. It died. Something awful is happening over the Marcellus Shale, the vast geological formation in eastern North America where energy companies are looking for natural gas. Hydraulic fracturing, or fracking, a process for extracting gas by injecting high volumes of water and chemicals into deep wells, has sparked complaints about ruined landscapes and fouled groundwater. Increasingly there is evidence, mostly anecdotal, that animals are suffering. A new study by veterinarian Michelle Bamberger and Robert Oswald, a professor of veterinary medicine at Cornell University, chronicles case studies of dozens of farmers and pet owners in six states over the Marcellus Shale. Their findings, published in "New Solutions: A Journal of Environmental and Occupational Health Policy," are a harrowing account of sudden deaths of cattle, as well as reproductive and neurological problems in horses, cats, dogs and other animals. The Pennsylvania farmers I spoke with have lost cows, calves, a horse, a couple dozen chickens. Many of the animals succumb in the same way: seizure-like symptoms, gasping for breath and a quick wasting away. A Rottweiler and a Dalmatian also fell ill and died. These farmers are getting out of the beef business, in part over concern that their animals will become delivery systems for contaminants. An organic farmer from southeast Ohio told me he has abandoned his cash crop, ginseng, for now, concerned that contaminants would enter his product. He began noticing changes around his 20-acre property in 2007, when a fracking operation began dumping wastewater nearby. He lost quite a few deer that were drawn to the brine and antifreeze in the fluid. Energy representatives dismiss the veterinarians' study. They say that health indicators have actually improved in areas with shale development. "The paper is little more than a collection of personal testimonials that cannot be independently assessed or verified," says Steve Everley, a spokesman for industry group Energy in Depth. "The paper is full of bold assertions about oil and gas development, but empty of any facts or scientific evidence to support those opinions."

Democrats on shale-fee approval: "It was very much hardball politics"

PHILADELPHIA INQUIRERHARRISBURG - Democrats are calling it hardball. Republicans say it was a fair negotiation. The dispute centers on the state GOP-controlled Senate's 31-19 approval Tuesday morning of a long-debated "local impact fee" on extraction of natural gas from the Marcellus Shale. The House is scheduled to vote on the same 174-page bill Wednesday and send it to Gov. Corbett if it passes. Vincent Hughes, ranking Democrat on the Senate Appropriations Committee, said that the night before the morning vote, he and other Democrats were warned that if they didn't deliver some support for it, Philadelphia would get cut out of sharing in the fee's proceeds. "It was a threat that I deemed real and imminent," said Hughes, of Philadelphia, who

voted for the fee compromise Tuesday, despite being among the chorus of Democrats who have maintained the bill didn't go far enough. "It was very much hardball politics." Hughes would not name names. Sen. Anthony H. Williams (D., Phila.) did. Williams said Senate President Pro Tempore Joe Scarnati (R., Jefferson) met privately Monday evening with top Democrats and said that, in no uncertain terms, he wanted some Democratic support - or else Philadelphia would lose out on its share of the millions that the fee was expected to generate. Others in the meeting said Scarnati was very matter-of-fact: The veteran Republican leader didn't want Democrats publicly trashing the bill, then rushing to cash in on the proceeds. The shale bill covers everything from how much the fee will be - it will fluctuate depending on the price of gas - to how much power municipalities have to control drilling. House and Senate negotiators projected the total fees paid on all Marcellus wells at \$180 million the first year, with more in the future as more wells are drilled. Williams said that he, too, ended up voting for the measure Tuesday - but that he didn't like it. "It was a reality trade-off."

Senate approves Marcellus Shale drilling impact fee bill

SCRANTON TIMES-TRIBUNE HARRISBURG - As part of a budget day extravaganza, the Senate gave final approval Tuesday to a county-option Marcellus Shale drilling impact fee that provides some revenue for statewide environmental programs and state review of local zoning rules. The Senate approved the measure 31-19 just minutes before Gov. Tom Corbett delivered his second state budget address. The House spent two hours debating the bill Tuesday night but put off a vote until today. Public controversy over regulating gas drillers has dogged Mr. Corbett during his first year in office with environmentalists, local officials and industry trade groups at sharp odds over issues like state preemption of zoning. The bill that Mr. Corbett endorsed is in the form of a conference committee report that can only be voted on a yes/no vote without any amendments. The measure will allow counties in Northeast Pennsylvania with active Marcellus Shale wells to levy fees on drillers to offset the public costs of drilling operations. But neighboring Luzerne and Lackawanna counties - which support the Marcellus industry with either pipelines, truck supply routes or planned compressor stations, but don't have wells - won't be able to impose fees. That omission drew criticism from state Sen. John Blake, D-22, Archbald. He told senators that Lackawanna County residents experience the impact of drilling in the region on their roads, drinking water, housing costs and property taxes. Mr. Blake said the bill only provides a fragment of the impact fee revenue that Pennsylvania deserves. Of the Northeast delegation, Sens. Blake, Lisa Baker, R-20, Lehman Twp.; Lisa Boscola, D-18, Lower Saucon Twp. and John Yudichak, D-14, Nanticoke, voted against the bill.

House still arguing shale well fees

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Environmental programs take a hit in state budget

HARRISBURG PATRIOT NEWS At A Glance: Gov. Tom Corbett's second budget isn't green. The Department of Environmental Protection takes a \$71 million hit, mostly from the discontinuation of federal stimulus funds, but the state share of the cut is \$10.5 million. Department of Conservation and Natural Resources takes a \$43 million hit, \$2.5 million of which is from general fund cuts. What It Means: Environmental program management and environmental protection operations are both cut by more than \$3 million. State grants for sewage planning and enforcement are zeroed out. All the regional water commissions, such as the Susquehanna River Basin Commission and the Chesapeake Bay Commission, suffer cuts. State Parks operations are cut by nearly \$1.4 million. Budget Secretary Charles Zogby said in a morning briefing that DEP Secretary Krancer was confident the agency could adequately oversee drilling operations in the Marcellus Shale, and the cost of many of those activities are covered by permitting fees. Cuts to state parks and other DCNR programs would be worse were it not for royalties coming in from Marcellus gas wells on state lands.

3 area state senators skeptical

WILKES-BARRE TIMES LEADER Pennsylvania moved a step closer to imposing a fee on drilling for gas in the Marcellus Shale on Tuesday when the state Senate voted in favor of establishing local impact fees on drilling. But state senators from both parties representing Luzerne County indicated Tuesday the measure may be a step in the wrong direction. The state Senate voted 31-19 in favor of fees that could raise \$180 million from the gas industry in the first year while expanding regulations, including a requirement for online disclosure of chemicals used in hydraulic fracturing. The measure, which could pass the House on Tuesday night, would fund road work and environmental cleanups and give local governments the power to impose the fees on their local wells. Luzerne County has no active Marcellus Shale wells, so the county would not at present have the option of imposing a fee. Three of the four senators representing the county: John Yudichak, Lisa Baker and John Blake, voted against the bill. John Gordner, R-Berwick, voted in favor. Yudichak, D-Plymouth Township, said the imposition and distribution of the fees on a county level is unprecedented and unjust and will make budgeting difficult. "The central provision in the bill is that counties and only counties where drilling is occurring will decide whether there's an impact fee," Yudichak said. "As a result of that, any projection on revenue, any projection on generating revenue for environmental protection or infrastructure, they're all skewed because you don't know whether the county's going to impose the fee." He also criticized the reduction of municipal zoning authority enacted by the bill that would make drilling a permitted use in all zoning districts and establish uniform minimum setback distances for wells and other gas-industry infrastructure. Baker, R-Lehman Township, broke the Republican Party line in voting against the bill. She said the bill's aim was to "reach agreement on provisions that would sufficiently satisfy serious concerns that people expressed. "After all the time I have spent speaking with local officials, landowners, environmentalists and anyone else with a point of view on the issue, I am not certain these issues have been sufficiently addressed," Baker said.

AEP chief says proposed EPA rules will raise electricity costs

CHARLESTON DAILY MAIL CHARLESTON, W.Va. - The federal Environmental Protection Agency has proposed regulations that would result in the rapid retirement of 25 percent of the nation's coal-fired power plants - and increase electric rates by 10 to 25 percent, the head of American Electric Power said. "Why we aren't doing this in a sensible manner is beyond me," Nick Akins, American Electric's president and chief executive officer, said Tuesday evening during a speech at the University of Charleston. "We provide a basic necessity of life, in that everything you want to do requires some form of energy, mostly electricity," he said. "We need to be mindful of the changes we make as a society to disrupt that." Akins said the Environmental Protection Agency wants utilities to replace much of their existing capacity by 2014 - a time frame that he said "makes no sense." The company spent \$7.2 billion on pollution control equipment over several years to reduce carbon dioxide and nitrogen oxide emissions at its coal-fired plants by 80 percent, he said. "Now we're being asked by the EPA to spend \$6

billion to \$8 billion more to eliminate the remaining 20 percent."

EPA OKs most of W.Va.s water-quality rules

ASSOCIATED PRESS CHARLESTON, W.Va. -- The U.S. Environmental Protection Agency has approved all but one of West Virginia's proposed water-quality standards, state regulators said Tuesday. The Department of Environmental Protection is required to review its rules every three years, and water-quality standards Director Kevin Coyne said the EPA found most of the rules consistent with federal regulations. The exception was language allowing the state to use what it calls "weight of evidence" in determining whether nutrient levels are high enough to declare a waterway impaired. The DEP must update its list of impaired waterways every two years, developing an inventory used to develop pollution management plans. Coyne said the DEP doesn't want to put a waterway on the list unless it has elevated phosphorous concentrations and corresponding levels of chlorophyll, a potential indicator of impairment. The EPA proposes using phosphorous levels alone. Coyne said the agencies have been working on a compromise. Florida, Maine and several other states are having a similar difference of opinion, he said. The EPA did approve other changes, including the definitions for cool-water lakes and new language declaring algae blooms unacceptable. That language can apply to any type of algae, but Coyne said the DEP was responding to problems in the South Branch of the Potomac River and in the Greenbrier River watershed. Algae should be in the rules, he said, so the state can consider it as impairment criteria.

UD study: EPA overestimates chicken waste in runoff

ASSOCIATED PRESS NEWARK -- A new University of Delaware study says that the Environmental Protection Agency has overestimated the amount of chicken waste that's in the nutrient runoff that enters the Chesapeake Bay. The study is in agreement with Delmarva poultry farmers, who have long argued that EPA numbers are outdated and overstated. Estimates conducted by the EPA blame chicken manure for six percent of all nutrient runoff into the Chesapeake. The study finds that the amount of chicken manure is much less than the EPA estimate but the nitrogen and phosphorous levels are also far lower, WBOC-TV reports. The EPA Chesapeake Bay workgroup is set to review the study this month and begin an analysis to determine whether the study's figures are accurate.

Md. delegate presents bill to ban arsenic in feed

ASSOCIATED PRESS ANNAPOLIS, Md. (AP) -- Delegate Tom Hucker is planning to present his bill to ban arsenic compounds from poultry feed to the House Environmental Matters Committee. Hucker, a Democrat from Montgomery County, along with former Gov. Harry Hughes, Attorney General Doug Gansler, public health and environmental experts, is expected to give testimony Wednesday afternoon. Supporters of the bill say arsenic in chicken feed contaminates chicken meat as well as chicken waste, which can end up in the Chesapeake Bay. Some also say it increases risks of cancer, heart disease and diabetes.

PENNSYLVANIA

PHILADELPHIA INQUIRER

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Corbett calls fiscal plan 'lean and demanding' HARRISBURG -- Facing a budget deficit that is a half-billion dollars and growing, Republican Gov. Tom Corbett on Tuesday proposed an austere spending plan for next year that would slash millions from state universities and revamp how counties receive aid for human-services programs. The \$27.14 billion proposal would bridge the state's immediate fiscal gaps, though the governor offered little to prepare for several challenges -- including pension and transportation costs -- for which he acknowledged solutions are sorely needed. That budget, which sticks to Mr. Corbett's no-tax-hike pledge, is about one-tenth of 1 percent less than the plan approved last June -- a spending plan that cut about \$1 billion mostly out of education and social services. School districts would see a meager boost over last year, and the state police force would be able to train a new class of 115 cadets. But much of the remainder of state government would see reductions: disappearing cash grants for welfare recipients, state prisons tasked with containing their rising costs and cutbacks continuing for environmental programs.

Utica Shale deals leapt to \$6.7 billion in '11 It took about 450 million years, but the Utica Shale is finally having its moment in the sun. Seven deals involving the Ohio oil and gas formation totaled \$6.7 billion in 2011 -- a huge increase from the single transaction worth \$178 million in 2010. The liquids-rich formation that overlaps and borders the Marcellus Shale benefited from increased interest in oil-rich regions, which become more lucrative when natural gas prices fall as they have in the past year. Still, oil and gas activity in the United States in 2011

jumped nearly \$50 billion, with 191 deals accounting for \$186.5 billion spent, according to the latest report from the analysis arm of New York-based PricewaterhouseCoopers LLC. The analysis studied American energy mergers and transactions worth more than \$50 million. Those deals can include huge acreage sales between companies or investments from third parties, such as other countries or private equity firms. In 2011, the number of deals fell but the average value of each rose. The average deal size in 2011 was \$977 million, up 38 percent from the previous year. There was a similar trend among foreign investors in American oil and gas. In 2011, foreign buyers completed 40 transactions worth \$56.4 billion. That's five fewer than in 2010, but a 55 percent increase in deal value.

City wants to build asphalt plant, pave more roads After about a decade of purchasing asphalt from a vendor, the Pittsburgh public works department wants to make its own asphalt again with the hope of saving money and adding muscle to the city's street-paving program. Public works director Rob Kaczorowski said construction of a new plant is an important part of his plan to begin paving 75 to 100 single-lane miles annually, double or triple the numbers from recent years. The need is great, he said, noting that 80 single-lane miles of primary roads alone -- including stretches of Brighton Road on the North Side, Frankstown Avenue in Homewood, Brownsville Road in Carrick and Chartiers Avenue in Sheraden -- are in dire need of paving. "We have a lot of catching up to do, and this is the way to do it," Mr. Kaczorowski said. The plan would involve building a \$4 million asphalt plant with funds taken from this year's \$11.4 million paving budget. "My goal is to have something in place by September," Mr. Kaczorowski said.

DELAWARE COUNTY DAILY TIMES

Hook mayor vows: It's a whole new ballgame in battle with Sunoco **MARCUS HOOK** "Mayor James Schiliro is promising a whole new ballgame" now that Sunoco officials have revealed there is no buyer waiting in the wings for its Marcus Hook refinery property. "We were lied to for so long by Sun Oil, and we had to bite our tongues and take it from them because we didn't want to scare away the potential buyer," Schiliro said Monday at the borough's regular business meeting. "Now that we know there isn't a buyer, it's a whole new ballgame now." Last week, Sunoco officials announced that the company continues to seek a buyer for the Marcus Hook plant as it exits the refinery business, but that no one has stepped forward to express interest in purchasing the property. Already, the company has planned to lay off about 500 workers from its Marcus Hook and Philadelphia plants. The closure threatens to devastate the economy of Marcus Hook and neighboring communities. Monday, Schiliro reiterated that information to about a dozen people in the audience at the borough's business meeting. "Everyone knows the grim news that there is no buyer," he said. "Right now, there's nothing new to report. We're at a loss for words, just like everyone else." Responding to residents' complaints about the situation, as well as what they called a lack of action from local lawmakers, Schiliro did promise a lot of changes he said would help the borough fight back against the refineries, but declined to elaborate further, saying more information would be forthcoming in the next few weeks.

ALLENTOWN MORNING CALL

Commentary: Gov. Corbett's budget moves state in wrong direction Too often in this economy we dwell on the bad news, but Pennsylvania has good news to tell, as well. Our citizens enjoy a level of personal income that is higher than citizens in most states, and we have maintained lower unemployment rates throughout the recession. We have higher rates of health care coverage than many states. And when it comes to spending and taxes, our state experience is one of restraint. Much of our success is because of Pennsylvania's long-term commitment over the last decade to preparing our young people for the changing economy, spurring private investment in cities and towns and becoming a national leader in clean energy. We have done so, while not forgetting our grandparents, our children, and those who are most vulnerable. Gov. Tom Corbett's policies are moving in the opposite direction. Last year the governor declared war on Pennsylvania colleges and universities, and the new budget continues that battle with additional cuts. Silicon Valley in California and the Research Triangle in North Carolina are centers of innovation spun from public universities. The new Pennsylvania budget will cut off that innovation while driving up college tuition when many families can least afford it. In his first year, Gov. Corbett made deep cuts to public

schools that hit the poorest school districts the hardest. The results are felt across the commonwealth. Seven out of 10 schools statewide have increased class sizes. Teachers in the Chester Upland schools in southeastern Pennsylvania are working without pay. Students in Allentown are spending time in study hall when they should be taking advanced math classes that could help prepare them for careers in technology or engineering. The governor took pains to shift blame for school funding cuts to the loss of federal recovery act dollars. Yet the governor fully restored lost federal funds from the corrections budget. That was his choice â€” prisons over schools. The budget is silent on aid to school districts that are in distress because of state funding cuts. Ignoring this problem will only allow it to fester.

Human sludge pooh-pooed by neighbors Lower Mount Bethel residents are raising a stink about farmers' plans to use treated human waste as fertilizerâ€¦ Legislation that would restart the flow of extended unemployment benefits for 17,000 jobless Pennsylvanians is headed for the House floor, but it could be in for a bumpy rideâ€¦ Details of Pa. gas-drilling deal emerge as the Senate is expected to vote today on Marcellus Shale impact feeâ€¦ When Gov. Tom Corbett delivers his second state budget address to a joint session of the state House and Senate later today, the question won't be whether he intends to again cut state spending and programs, but rather where and by how much.

HARRISBURGH PATRIOT NEWS

Environmental programs take a hit in state budget At A Glance: Gov. Tom Corbett's second budget isn't green. The Department of Environmental Protection takes a \$71 million hit, mostly from the discontinuation of federal stimulus funds, but the state share of the cut is \$10.5 million. Department of Conservation and Natural Resources takes a \$43 million hit, \$2.5 million of which is from general fund cuts. What It Means: Environmental program management and environmental protection operations are both cut by more than \$3 million. State grants for sewage planning and enforcement are zeroed out. All the regional water commissions, such as the Susquehanna River Basin Commission and the Chesapeake Bay Commission, suffer cuts. State Parks operations are cut by nearly \$1.4 million. Budget Secretary Charles Zogby said in a morning briefing that DEP Secretary Krancer was confident the agency could adequately oversee drilling operations in the Marcellus Shale, and the cost of many of those activities are covered by permitting fees. Cuts to state parks and other DCNR programs would be worse were it not for royalties coming in from Marcellus gas wells on state lands.

No-frills budget: Corbett holds line on taxes, but education and transportation remain big concerns Pennsylvanians are getting what they voted for in Gov. Tom Corbett's proposed budget: no tax increases and reduced state spending. Call it â€œtough love.â€ Even the governor admitted â€œWe have less money than I would likeâ€ in certain areas such as basic education. There's plenty not to like about the proposed budget, but for those whose main goal is holding the line on taxes and trying to make the most of spending priorities, the governor delivered. Corbett is proposing a \$27.1 billion spending plan, a tiny decrease for this year's budget and about the same as in 2007-08. On the upside, this is the first budget in a decade that does not increase prison spending, and most of the 650 state jobs likely to be eliminated are currently vacant. On the downside, there are cuts in many line items, with the biggest hits going to higher education and public welfare. This budget proposal brings home the realities of the trade-offs Pennsylvanians are making between revenue increases and spending cuts. This newspaper has been outspoken about its support for a robust and fair Marcellus Shale severance tax, a tax on smokeless tobacco and ending some corporate giveaways, none of which is proposed in the governor's plan. The overwhelming majority of Pennsylvanians support Marcellus Shale and smokeless tobacco taxes. Voters see these revenue-raising initiatives as different from increases in personal income taxes. Similarly, tax giveaways such as the 100 percent depreciation write-off and Delaware loophole have cost the state hundreds of millions of dollars in corporate tax receipts and produced little to no gain.

Commentary: Delaware tax loophole hurts Pa. small businesses The term loophole is derived from the Middle English word â€œloupe,â€ which refers to a narrow opening in a wall. These slitlike windows were located in medieval castles and provided an observation post and a point to launch projectiles. Modern-day corporate castles

exploit antiquated loopholes to deflect their tax burden on to small businesses. The primary tax avoidance vehicle for corporate behemoths is the Passive Investment Company (or "PIC") subsidiary. The most infamous PIC is the Delaware tax loophole also referred to as "Geoffrey the Giraffe" (Geoffrey is the Toys R Us "intangible" holding company.) Here's how the scheme works: Under the corporate fiction of the Delaware tax loophole, local outlets of large national chain stores pay royalties to sister companies in other states, claiming the payments as business expenses, and then deduct the "expenses" from their Pennsylvania state income taxes. "Geoffrey the Giraffe" allows large corporations to pay little state income tax in Pennsylvania. Comcast, Crown Cork, Toys R Us, Wal-Mart and most Marcellus Shale exploration companies are among the corporations that deflect their Pennsylvania income tax contributions through "intangible holding companies."

Letter: Deep forest habitat and wetlands are critical It's been said that forests are the lungs of our earth. If that's true, Pennsylvania's biological clock is ticking as the looming expansion of gas drilling on public lands will deplete our state's forests. Forty-nine percent of DCNR lands in the Marcellus gas play are available for drilling. Foresters, scientists in their own right, know the amount of land to lease to retain sustainability. Furthermore, not only are trees removed that filter the air and water we intake, but also fossil fuels are burned colossal to power the industry as it is now, overburdening the few forests remaining. We share Earth with other life; deep forest habitat and wetlands are critical for the survival of many species. We do not have the right to their destruction. And to be clear--the land will be fragmented permanently by fracking. Overdrilling vital public forests is like a surgical removal of parts of the lungs; the sacrifice is too great for the body of Pennsylvania. Don't sell out our forests.

STATE COLLEGE CENTRE DAILY TIMES

Company wants to buy public rail lines A Watertown company has offered \$30 million to buy five rail lines, including a local one, and their operating rights owned by Susquehanna Economic Development Association Council of Governments' Joint Rail Authority. Moran Industries, a warehousing and logistics company, made an initial offer of \$12.5 million in late December for just the rail lines, but upped the offer Tuesday after it did not gain unanimous consent from the JRA's eight members, including Centre County. One of the rail lines that would be included in the deal is the Nittany and Bald Eagle Railroad, which runs 70 miles through Milesburg, Pleasant Gap, Bellefonte and other county municipalities...the proceeds of the sale will be split between the JRA's eight member counties. Centre County Commissioners Chris Exarchos, a Republican, and Michael Pipe, a Democrat, both oppose the sale... The proceeds of the sale will be split between the JRA's eight member counties. Centre County Commissioners Chris Exarchos, a Republican, and Michael Pipe, a Democrat, both oppose the sale. "I'm a big privatization guy but private lines and rail don't have a good track record," Exarchos said. "They get their profits, then pull up stakes and go, and industries that rely on rail get left high and dry. It's all well and good when they have Marcellus (profits), but I doubt if are they going to be there for the community if and when the Marcellus boom falls out."

SCRANTON TIMES-TRIBUNE

Senate approves Marcellus Shale drilling impact fee bill HARRISBURG - As part of a budget day extravaganza, the Senate gave final approval Tuesday to a county-option Marcellus Shale drilling impact fee that provides some revenue for statewide environmental programs and state review of local zoning rules. The Senate approved the measure 31-19 just minutes before Gov. Tom Corbett delivered his second state budget address. The House spent two hours debating the bill Tuesday night but put off a vote until today. Public controversy over regulating gas drillers has dogged Mr. Corbett during his first year in office with environmentalists, local officials and industry trade groups at sharp odds over issues like state preemption of zoning. The bill that Mr. Corbett endorsed is in the form of a conference committee report that can only be voted on a yes/no vote without any amendments. The measure will allow counties in Northeast Pennsylvania with active Marcellus Shale wells to levy fees on drillers to offset the public costs of drilling operations. But neighboring Luzerne and Lackawanna counties - which support the Marcellus industry with either pipelines, truck supply routes or planned compressor stations, but don't have wells - won't be able to impose fees. That omission drew criticism from state Sen. John Blake, D-22, Archbald. He

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Green groups split on protections in drilling bill Environmental protections built into natural gas drilling legislation that passed the state Senate on Tuesday convinced some environmental groups to endorse the bill with reservations even as others rejected it wholesale as a giveaway to the gas industry. The environmental rules were often overshadowed in recent months by sparring over the bill's more controversial impact fee and local zoning provisions. But even lukewarm supporters say the bill, which has yet to be approved by the House and the governor, combined the best environmental standards included in earlier House and Senate drafts and then added more. The House spent two hours debating the bill Tuesday night before putting off a vote until today. Among the updates for a state oil and gas law that had largely been untouched since 1984, the bill:

- Creates a state hotline for reports of oil and gas-related contamination and requires regulators to notify public water suppliers of well site spills that might affect their drinking water sources.
- Outlines the Department of Environmental Protection's ability to revoke and withhold gas well permits from drillers with ongoing violations in the state - legal authority the department said was weak or missing in the past.
- Expands setbacks from structures and waterways, prohibits pits and most tanks in floodplains, increases the penalties for violations, and requires better spill containments - like berms and liners - on Marcellus Shale well pads.

WILKES-BARRE TIMES LEADER

3 area state senators skeptical Pennsylvania moved a step closer to imposing a fee on drilling for gas in the Marcellus Shale on Tuesday when the state Senate voted in favor of establishing local impact fees on drilling. But state senators from both parties representing Luzerne County indicated Tuesday the measure may be a step in the wrong direction. The state Senate voted 31-19 in favor of fees that could raise \$180 million from the gas industry in the first year while expanding regulations, including a requirement for online disclosure of chemicals used in hydraulic fracturing. The measure, which could pass the House on Tuesday night, would fund road work and environmental cleanups and give local governments the power to impose the fees on their local wells. Luzerne County has no active Marcellus Shale wells, so the county would not at present have the option of imposing a fee. Three of the four senators representing the county: John Yudichak, Lisa Baker and John Blake, voted against the bill. John Gordner, R-Berwick, voted in favor. Yudichak, D-Plymouth Township, said the imposition and distribution of the fees on a county level is unprecedented and unjust and will make budgeting difficult. "The central provision in the bill is that counties and only counties where drilling is occurring will decide whether there's an impact fee," Yudichak said. "As a result of that, any projection on revenue, any projection on generating revenue for environmental protection or infrastructure, they're all skewed because you don't know whether the county's going to impose the fee." He also criticized the reduction of municipal zoning authority enacted by the bill that would make drilling a permitted use in all zoning districts and establish uniform minimum setback distances for wells and other gas-industry infrastructure. Baker, R-Lehman Township, broke the Republican Party line in voting against the bill. She said the bill's aim was to "reach agreement on provisions that would sufficiently satisfy serious concerns that people expressed. After all the time I have spent speaking with local officials, landowners, environmentalists and anyone else with a point of view on the issue, I am not certain these issues have been sufficiently addressed," Baker said.

WILLIAMSPORT SUN-GAZETTE

Lawmakers see impact fee as a compromise The Marcellus Shale gas impact fee passed by the Senate Tuesday represents a compromise and not the type of plan that is to everyone's satisfaction, local lawmakers contend. "I think we have compromised from as many areas as we can," said state Rep. Garth Everett, R-Muncy. "Does the Sierra Club like it? No. Does the gas industry like it? No." Everett said he thinks it addresses many of the

environmental issues that have been of concern to people, however. State Rep. Rick Mirabito, D-Williamsport, disagreed. "There are environmental standards, but they are pretty weak," he said. "People choose to live in rural communities for a reason. I just think it could have been better without hurting the industry. This is a very profitable industry, and no one is trying to drive them out of the state. We have a legal obligation under the Constitution to protect our air, our water, our land, not only for us but for future generations." The legislation now goes back to the House. The 15-year impact fee would bring in some \$180 million initially, and more than \$1 billion over the first five years. The fee would rise and fall with the price of natural gas and inflation and be roughly equivalent to a 3 percent tax rate, according to Republicans. Mirabito said revenue returns are set far too low. He scoffed at the notion that gas companies already face paying other fees or taxes. Many of them are limited liability companies and allowed to escape paying the state's 9.9 corporate net income tax. "This idea we tax them in other ways is simply not true," he said. "The gas is here. The only place they can go where it's lower is Ohio. I think we can do better with this legislation. That would help us do better with the budget."

Engineer provides update on regional sewage treatment plant MONTGOMERY - A regional wastewater treatment plant serving this borough, Muncy Borough and Muncy Creek and Clinton townships could be built and operational by 2014. That's what Eric J. Moore, executive director of West Branch Regional Authority, said Tuesday in an update on the planned \$25 million project eyed for a location in a field across from the State Correctional Institution at Muncy. Moore briefed members of the Black Hole Creek Watershed Association after the group held a meeting at the borough building. He anticipates monthly sewer bills of about \$60, up by about \$12 for most ratepayers. Clinton Township customers pay \$55 per month now because the township administers its own treatment system. Moore is pleased with cooperation thus far. "It's a good example of inter-municipal cooperation," he said. "I'm proud of these communities," he said. "There was some friction up front but the county helped out just enough." Construction bids for the plant should be distributed to companies early next year, with the plant completed in two years, he said. "This will help us, our kids, our grandkids," he said. "The lifecycle (expectancy) of the plant is 40 years."

ERIE TIMES-NEWS

Camp to teach Pa. students about environmental careers Pennsylvania students have until April 1 to apply for a summer environmental career camp. Offered by the state Department of Conservation and Natural Resources, the free camp for students entering grades 10 to 12 will run July 8-13 at Kirby Episcopal House and Chapel in Glen Summit, Luzerne County, according to a news release. More information and an application are available by calling (724) 865-7857 or visiting www.dcnr.state.pa.us/stateparks/ecocamp.

ALTOONA MIRROR

Corbett tightens belt Gov. Tom Corbett proposed a balanced \$27.1 billion state budget to the General Assembly for 2012-13. It included no tax increases and a spending reduction of about \$22 million. "We are still living through a difficult economic time of our lives. I bring a budget reflecting those times," Corbett said. "Lean and demanding." And like jumping into a cold swimming pool, the second time around a budget with Corbett's conservative Republican philosophy may have been less shocking for General Assembly members accustomed to former Democratic Gov. Ed Rendell's tax and spend mentality.... "Welding jobs have followed the rise in manufacturing and Marcellus Shale," said Lanny Ross, Greater Altoona Career and Technology Center executive director.

SUNBURY DAILY ITEM

Mayor wants trucks to help fund roads SUNBURY -- Mayor David Persing is frustrated with truck traffic entering the former Celotex site on North Front Street, and he wants to do something about it. Charge an impact fee. Gas companies have paid millions to repair roads damaged by trucks in the Marcellus shale region, and Persing wants to levy a fee to compensate the city for damage to roads caused by trucks hauling drilling waste through the city. About \$25 per truck per visit, he said. An impact fee is a fee that is implemented by a local government on a new or proposed development to help assist or pay for a portion of the costs that the new development may cause with public services. These fees are usually put in place to help reduce the economic burden on local communities that

are trying to deal with population growth. "I know the governor's office is against taxes on this new industry, Persing said. "But I am looking for funding to maintain our city streets." Persing said he was informed by the state Department of Transportation that the city is not permitted to levy fees on trucks. Persing said he wants to convince a state lawmaker to pass legislation to allow the city to impose the fee. Moran Industries now owns the former Celotex site and its vice president of operations said he would be shocked if this idea were adopted. "Isn't that what the liquid fuels tax is for?" asked Jeff Stroehmann. "I would be surprised if they could do it." The number of trucks that enter the site varies, but Persing said he is fed up with not knowing everything that is going on there. "We have gone above and beyond working with those guys," Persing said. "We want everything to be out there and not keep anything hidden."

Reactions to budget plan mixed SUNBURY -- Reaction to Gov. Tom Corbett's proposed 2012-2013 budget came from all directions Tuesday. Here's a sampling of what various advocacy groups had to say: National Federation of Independent Business state director Kevin Shivers: "Gov. Tom Corbett's emphasis on cutting spending without raising taxes on small business is a solid fiscal blueprint for Pennsylvania that the Legislature should adopt. This is a very responsible spending plan that sets the right priorities. The political pressure to raise taxes is enormous, and we give the governor a lot of credit for standing firm." "The governor has made it very clear in his budget that job growth and business competitiveness are his main priorities," said Shivers. "He's making tough choices, but they are the same tough choices that small businesses and households have had to make in this economy." Shivers said that small business owners are especially encouraged by the governor's call for unemployment insurance reform. He said Pennsylvania pays more generous benefits than all but two other states and should be more realistic.

STATE IMPACT PENNSYLVANIA

Governor's Budget a Mixed Bag for Conservationists

Gov. Corbett's 2012 budget proposal shows a projected decrease of more than \$3 million from mineral lease royalties. That's the first decrease since 2003, before the Marcellus Shale rush took off. The reason for the reduction is partly due to depressed natural gas prices, and partly due to a moratorium on new gas leases in state forests. Environmentalists had worried the Governor would open more state forests to drilling. But that's not on the books yet. All told, the state's Oil and Gas Lease Fund has about \$22 million dollars less to distribute than last year. The Department of Conservation and Natural Resources will get almost \$70 million dollars from the fund. That accounts for about one third of the department's entire budget, which worries some conservationists. Former DCNR secretary John Quigley served under Governor Ed Rendell. Quigley says money from the Oil and Gas Fund was originally diverted to DCNR during his watch to keep the state parks open. But he says bankrolling the department with lease money is a slippery slope. "That's the problem," says Quigley. "Your conservation agency shouldn't be dependent on cutting down trees and drilling for natural gas to keep the lights on."

ASSOCIATED PRESS (Pa.)

Debate on Pa. bill to impose fees, regulations on gas drilling ends for night without vote HARRISBURG, Pa. -- Pennsylvania, the only major gas-producing state that does not tax the taking of natural gas from its soil, moved closer Tuesday to imposing a fee on the drilling in the vast Marcellus Shale reserves that have transformed the state in recent years. The state Senate voted 31-19 in favor of fees that could raise \$180 million from the industry in the first year, while expanding regulations for the booming industry, but debate in the House got under way late in the evening and lawmakers adjourned without taking a vote after running up against a nightly curfew. The measure, which could return to the House floor on Wednesday, includes a requirement for online disclosure of chemicals used in hydraulic fracturing, or fracking, and would fund road work and environmental efforts. It also would allow local governments to decide whether to impose the fees on wells in their territory. "The truth is, it's better than having nothing at all," said supporter Rep. Mario Scavella, R-Monroe. "It's generating plenty of money. It's made some improvements over what's in place, and we'll continue to monitor it." Opponents called the bill a giveaway to energy companies and said its environmental provisions were too weak.

House Democratic Whip Mike Hanna, D-Clinton, said the approach put profits of multinational corporations ahead of the health and safety of state residents, and raised the specter of environmental damage from Pennsylvania's coal and timber industries. "We have to learn from those past mistakes, and we should not repeat them," Hanna said.

WASHINGTON, D.C.

WASHINGTON POST

Earmark investigation: Rep. Norm Dicks and Puget Sound Olympia, Wash. "In January 2007, Rep. Norm Dicks (D-Wash.) became chairman of a congressional subcommittee that gave him the power to secure millions in federal funds to environmental projects in his district. Six months later, the congressman requested millions of dollars to clean up Puget Sound "a vital but polluted system of waterways in his home state of Washington, according to White House records. His interests on behalf of the sound aligned with those of his son, David Dicks, who at the time was interviewing to be executive director for a newly created state agency, the Puget Sound Partnership. In August 2007, he got the job, which required him to develop a plan for coordinating state and federal efforts to clean up the nation's second-largest estuary, which is only overshadowed by the Chesapeake Bay. Over the next four years, father and son worked in tandem to restore Puget Sound, with the congressman directing millions more to the work, including a \$1.82 million earmark and more than \$14 million in grants and other funds that went to his son's agency. There were no competitors for the funds.

DELAWARE

WILMINGTON NEWS JOURNAL

Del. solar company files for bankruptcy A New Castle-area provider of solar-power systems has filed for Chapter 11 bankruptcy. Suntricity Power, which specializes in the "design, sales and installation of renewable energy equipment and systems," told U.S. Bankruptcy Court in Wilmington on Tuesday that it had assets estimated at \$500,000-\$1 million, and liabilities ranging from \$100,001-\$500,000. Phone calls to Suntricity for comment went unanswered. On its website, the company said it has installed thousands of solar panels throughout Delaware and Pennsylvania. The company told the court it had from 100-199 creditors. Its biggest debt was a \$100,000 settlement owed to Focused Energy, a California provider of components to solar installation companies. It also owes thousands of dollars to several local electrical trade companies. The firm is owned by Maria Romero and Mark Hald.

Recycling center for yard waste gets OK **GEORGETOWN** -- Sussex County Council on Tuesday narrowly approved a controversial yard-waste recycling center near Millville that had been opposed by many neighbors. "It's a lot of silly arguments, I think," said Councilman Sam Wilson, R-Georgetown, one of three council members who voted in favor of the proposal from owner Jeremy Smith. "There's a chicken house already there, there's agriculture already there." Councilman George Cole, R-Ocean View, recused himself because of a conflict of interest, and Councilwoman Joan Deaver, D-Lewes, was the lone vote against the plan. Residents had expressed concerns about odor, noise, well contamination and proper buffers around the property. The project is slated to take up about 17 acres of a 39-acre site already zoned for agricultural use. More than 150 residents signed petitions opposing the project.

Remember winter? It's coming back In an about-face to recent weather, today will bring temperatures more in line with winter, and possibly snow. According to the National Weather Service, towns in all three Delaware counties could get snow today, with lows below freezing. There could be more snow this weekend

ASSOCIATED PRESS (Del.)

UD study: EPA overestimates chicken waste in runoff NEWARK â€” A new University of Delaware study says that the Environmental Protection Agency has overestimated the amount of chicken waste that's in the nutrient runoff that enters the Chesapeake Bay. The study is in agreement with Delmarva poultry farmers, who have long argued that EPA numbers are outdated and overstated. Estimates conducted by the EPA blame chicken manure for six percent of all nutrient runoff into the Chesapeake. The study finds that the amount of chicken manure is much less than the EPA estimate but the nitrogen and phosphorous levels are also far lower, WBOC-TV reports. The EPA Chesapeake Bay workgroup is set to review the study this month and begin an analysis to determine whether the study's figures are accurate.

WEST VIRGINIA

CHARLESTON GAZETTE

AEP chief: Coals elimination just not going to happen CHARLESTON, W.Va. -- Although the amount of energy produced by coal will decrease in the nation -- from 45 percent today to 39 percent by 2020 -- a top electric utility company CEO said there is definitely a future for coal. "Coal is naturally going to come down, natural gas will be the choice, but they're really marginal," said Nick Akins, president and chief executive officer of American Electric Power. "Once technology is proven, you'll start to see coal come back. We still need coal . . . If someone is trying to eliminate that, it's just not going to happen." Akins addressed an audience of more than 100 people at the University of Charleston Tuesday night for the UC Speaker Series event "Energy: Who's Got the Power?" UC President Ed Welch moderated the discussion, which was sponsored by the Dow Chemical Foundation. Akins' "Providing America's Power" conversation focused largely on how a disconnection between policy and the real world is a disadvantage for everyone. The challenge AEP faces is that the company has to adhere to specific mandates that then impact the rates that customers pay. "To not allow the Keystone [XL] pipeline and to say no to coal and no to nuclear -- then what?" Akins said. "For us to continue to make advances, the state regulators need to speak up. It definitely is a challenge for us. We provide the basic necessity of life as we know it. . . . What's counterproductive is not to have an energy policy."

Blog: OSHA doesnâ€™t want to talk about combustible dust Four years ago today, a huge explosion and fire at the Imperial Sugar refinery northwest of Savannah, Ga., killed 14 people and injured 38 others. Fourteen of the injured suffered serious and life-threatening burns. The explosion was fueled by massive accumulations of combustible sugar dust throughout the packaging building. After the incident, here was one fascinating paragraph included in a U.S. Chemical Safety Board press release on the boardâ€™s investigation:

City to clarify rules on 'private' trees CHARLESTON, W.Va. -- All through downtown Charleston, you'll see trees along the sidewalk, planted in the middle of metal grates. Oddly, though, not all of those trees are city property. According to Mary Jane Vanderwilt, chairman of the Municipal Beautification Commission, property owners planted dozens of trees along city sidewalks 20 or 30 years ago, with the blessing of the Charleston Urban Renewal Authority -- the Marriott hotel, Charleston National Bank (now Chase Bank), One Valley Bank (BB&T), the post office. But as the trees mature and die, who's responsible for replacing them? If someone trips over an empty grate, who's liable? Vanderwilt invited City Attorney Paul Ellis to the Beautification Commission's monthly meeting Tuesday to try to answer those questions. "We have a potential problem and, before we have a real problem, we'd like to get some clarification," she said. At the Charleston Marriott, which was recently sold, four Bradford pear trees are missing from the row along the sidewalk, Vanderwilt said. And several years ago, someone sued the city after they tripped on an empty tree grate on Summers Street. BB&T apparently did not replace a honey locust that died there.

CHARLESTON DAILY MAIL

State lawmakers weigh Marcellus options One of the world's richest natural gas reserves could help West Virginia fund its future. But lawmakers must first figure out how to identify revenues from the rich Marcellus shale reserve. To spur Marcellus production, the Legislature recently passed new drilling rules. A pending Senate bill would deposit 25 percent of the resulting additional tax revenues into a West Virginia Future Fund. The state would invest the fund for 20 years. It would be tapped only for such purposes as tax relief and education. The Senate Economic Development Committee began considering the bill Tuesday. It plans to resume work Friday after questions over its approach toward reserving revenues. The committee also heard from former Wyoming Gov. Mike Sullivan. Sullivan said reserving natural resource tax revenues has greatly benefited that state.

AEP chief says proposed EPA rules will raise electricity costs CHARLESTON, W.Va. - The federal Environmental Protection Agency has proposed regulations that would result in the rapid retirement of 25 percent of the nation's coal-fired power plants - and increase electric rates by 10 to 25 percent, the head of American Electric Power said. "Why we aren't doing this in a sensible manner is beyond me," Nick Akins, American Electric's president and chief executive officer, said Tuesday evening during a speech at the University of Charleston. "We provide a basic necessity of life, in that everything you want to do requires some form of energy, mostly electricity," he said. "We need to be mindful of the changes we make as a society to disrupt that." Akins said the Environmental Protection Agency wants utilities to replace much of their existing capacity by 2014 - a time frame that he said "makes no sense." The company spent \$7.2 billion on pollution control equipment over several years to reduce carbon dioxide and nitrogen oxide emissions at its coal-fired plants by 80 percent, he said. "Now we're being asked by the EPA to spend \$6 billion to \$8 billion more to eliminate the remaining 20 percent."

Legislation makes carbon monoxide detectors mandatory CHARLESTON, W.Va. - Following the death of a man at a South Charleston hotel, West Virginia lawmakers are advancing legislation to make sure hotels and other commercial locations where people sleep are equipped with carbon monoxide detectors. Rhode Island construction worker William Moran, 44, died in his hotel room Jan. 31 following a carbon monoxide leak at the Holiday Inn Express along Corridor G in South Charleston. Authorities believe the exhaust pipe from the indoor pool heater broke, causing the gas to leak into the hotel. City officials say that exhaust system was installed without a building permit so they did not inspect it. State, city and county laws do not require hotels to have carbon monoxide detectors, and the Holiday Inn did not have any installed to alert guests to the leak. City and county officials already have begun to consider local ordinances, and West Virginia lawmakers now will debate a measure that would apply statewide.

Tree to be removed from Lee Street triangle CHARLESTON, W.Va. - The days are numbered for a holly tree in the Lee Street Triangle in downtown Charleston. The Charleston Municipal Beautification Commission on Tuesday unanimously voted to have the tree removed. The tree, which is 50 to 60 years old, causes problems for the Belmont Garden Club, the organization that maintains greenery at the triangle at no charge to the city. Marlene Dial, a member of the beautification commission and the garden club, said the tree draws all of the nutrients from the soil, preventing other plants from thriving. "We've probably planted \$300 worth of plants there and nothing will grow," she said. The tree also makes it hard for garden club members, many of whom are elderly, to maintain the park, Dial said. Aphids living in the tree also leave a residue on a statue under its branches.

WHEELING INTELLIGENCER

Kasich Solidly Behind Gas Industry's Future (Ohio) STEUBENVILLE - Gov. John Kasich didn't flinch when natural gas opponents disrupted his State of the State address Tuesday - he just kept talking about the 740 jobs MarkWest Energy's \$500 million processing plants are expected to bring to the area. While Kasich did not speak much of the multibillion-dollar Royal Dutch Shell ethane cracker - for which he flew to Texas in November to "make a personal pitch" for the state to gain the plant - officials in his administration said after the speech they remain confident the state is in a prime position to land the planned cracker. More than 100 anti-fracking protesters greeted the Ohio State legislators and invited guests entering the Steubenville High School/Wells Academy

Elementary School complex Tuesday, equipped with an array of signs. The protesters chanted phrases like "No frack - Ohio" and "We are the 99 percent - and so are you."

WEST VIRGINIA STATE JOURNAL

Kasich ends State of State without announcing ethane cracker in Ohio West Virginia officials can sleep a little easier now that the governor of Ohio wrapped up his State of the State speech with no major announcements of an ethane cracker. Gov. John Kasich made no indication Ohio has definitely been selected as the site for an ethane cracker during his State of the State address. The speech was moved to Steubenville, the first time in Ohio's recent history the speech was not given from the state capitol. Rescheduling the speech had fueled rumors a long-awaited announcement of the cracker siting would come from Kasich Tuesday. Pennsylvania, Ohio and West Virginia have been heavily competing for an ethane cracker with various incentives and private meetings with interested corporations. Corky DeMarco, executive director of the West Virginia Oil and Natural Gas Association, said he wasn't worried about the Ohio governor's speech, and wasn't even listening in on it. "We don't think there's going to be (a cracker) in Ohio," DeMarco said, just after speech. "We still believe that we have a better than even shot at this thing. If we had a crystal ball, we'd make a prediction." DeMarco said Gov. Earl Ray Tomblin's efforts toward attracting a cracker have been exceptional. "We've said time and time again that we have a lot of infrastructure here that will have to be built out in other places," DeMarco said. "Consequently, we think if we're not at the top of the list, we're not very far behind anybody. We'd like to believe we are on the top of everybody's list. We haven't heard anyone, of the companies who are looking, â€œwe don't like West Virginia, we are looking somewhere else."

PARKERSBURG NEWS AND SENTINEL

Air quality test set for DMV site PARKERSBURG - Less than a year after problems with a building forced its closure and led to multiple moves, the West Virginia Division of Motor Vehicles' latest regional office could once again be facing issues. Pete Lake, director of the DMV's regional offices and call center services, said an air quality test will be done at the Parkersburg facility adjacent to National College. "The test has been ordered in an effort to make sure we don't have any issues," he said. The state is trying to determine if a problem may exist, Lake said. "Nothing says there is an actual problem there," he said. "We are jumping on it to check to see if there is. If there is we will take immediate action." Lake said some employees are reporting reactions or illnesses related to the office. At least one employee is wearing a mask at work. Two DMV employees said they were not allowed to talk about the issue. Employees at the Parkersburg site directed questions to the office manager, who directed questions to spokeswoman Natalie Harvey. "We have ordered an air quality test, but we don't have the results yet," she said.

MARTINSBURG JOURNAL

Local group receives grant Organization acquires \$3,600 for project aimed at reducing stormwater runoff. CHARLES TOWN - The Blue Ridge Watershed Coalition was recently awarded a \$3,600 Stream Partners Grant, which it plans to use for a project aimed at reducing water runoff and hydroplaning at the intersection of Mission Road and W.Va. 9. There are multiple parts planned for the project, and the coalition hopes to complete work by August or September, according to BRWC Chair Ronda Lehman. The coalition's goal is to preserve and protect the Blue Ridge Mountain's natural watershed. "Basically we want to stop the water that runs out across Route 9 that causes a real bad place to hydroplane," Lehman said in a phone interview Tuesday morning. "... It gets to be quite a little stream rolling across there and it's right on the corner, but if you're not turning onto Mission Road you have to make the corner and there's a big stream of water rolling across there. It could be quite problematic, and there's no shortage of accidents."... The coalition chose the project because it felt that it would be visible to both Blue Ridge Mountain residents and Jefferson County residents who take W.Va. 9 to work each day. The project could also help reduce Jefferson County's contributions to the Chesapeake Bay's problems, according to Lehman. "What we're doing is slowing down all that runoff that comes off the community center and rolls down onto Route 9, and that also in turn slows down the water on the way to the (Shenandoah) River, which is what takes all the particles and sediment out of it so it doesn't end up in the river and then downstream in the Chesapeake Bay," Lehman said.

BECKLEY REGISTER HERALD

Greenbrier to host national conference on Marcellus WHITE SULPHUR SPRINGS – The Greenbrier Resort will be hosting a national conference and expo April 1-3 relating to the Appalachian Basin’s billion dollar Marcellus and Utica shale industry. The conference will gather the leading shale executives and experts within the industry and key members from the natural gas associations within West Virginia, Pennsylvania, and Ohio. Speakers will be addressing a variety of topics including: The Important Role Natural Gas Will Play in Meeting the World’s Rising Energy Demand, the Recent Legislative Rules and How They Impact the Shale Industry, and the Expansions and Developments Created from the Marcellus and Utica Shale Industry. The conference will include keynote speaker Jack Williams, President of XTO Energy and invited guest speakers include Governor Earl Ray Tomblin and Senator Joe Manchin. Additional confirmed conference sponsor speakers include: Jackson Kelly Law Firm’s David Flannery, Consol Energy, American Petroleum Institute’s John Felmy, Chesapeake Energy’s Scott Rotruck, Lewis, Glasser, Casey & Rollins PLLC’s Richard Gottlieb and Kroff Well Services’ Dave Grottenthaler. Non-Sponsoring speakers include West Virginia Commerce Secretary Keith Burdette, Department of Environmental Protection Secretary Randy Huffman, Corky Demarco with the West Virginia Oil and Natural Gas Association, Charlie Burd with the Independent Oil and Gas Association of West Virginia, Tom Stewart from Ohio Oil and Natural Gas Association, Lou D’Amico from Pennsylvania Independent Oil and Natural Gas, Tom Murphy with Penn State Marcellus Center for Outreach and Research, Dr. Sam Ameri from West Virginia University’s Petroleum & Natural Gas Engineering Department, and Dr. Robert Chase from Marietta College’s Petroleum Engineering Department.

ASSOCIATED PRESS (W. Va.)

EPA OKs most of W.Va.s water-quality rules CHARLESTON, W.Va. -- The U.S. Environmental Protection Agency has approved all but one of West Virginia's proposed water-quality standards, state regulators said Tuesday. The Department of Environmental Protection is required to review its rules every three years, and water-quality standards Director Kevin Coyne said the EPA found most of the rules consistent with federal regulations. The exception was language allowing the state to use what it calls "weight of evidence" in determining whether nutrient levels are high enough to declare a waterway impaired. The DEP must update its list of impaired waterways every two years, developing an inventory used to develop pollution management plans. Coyne said the DEP doesn't want to put a waterway on the list unless it has elevated phosphorous concentrations and corresponding levels of chlorophyll, a potential indicator of impairment. The EPA proposes using phosphorous levels alone. Coyne said the agencies have been working on a compromise. Florida, Maine and several other states are having a similar difference of opinion, he said. The EPA did approve other changes, including the definitions for cool-water lakes and new language declaring algae blooms unacceptable. That language can apply to any type of algae, but Coyne said the DEP was responding to problems in the South Branch of the Potomac River and in the Greenbrier River watershed. Algae should be in the rules, he said, so the state can consider it as impairment criteria.

W.Va. lawmakers weigh Marcellus windfall options CHARLESTON, W.Va. (AP) - One of the world's richest natural gas reserves could help West Virginia fund its future. But lawmakers must first figure out how to identify revenues from the rich Marcellus shale reserve. To spur Marcellus production, the Legislature recently passed new drilling rules. A pending Senate bill would deposit 25 percent of the resulting additional tax revenues into a West Virginia Future Fund. The state would invest the fund for 20 years. It would be tapped only for such purposes as tax relief and education. The Senate Economic Development Committee began considering the bill Tuesday. It plans to resume work Friday after questions over its approach toward reserving revenues. The committee also heard from former Wyoming Gov. Mike Sullivan. Sullivan said reserving natural resource tax revenues has greatly benefited that state.

8 coyotes killed outside Wal-Mart near Morgantown GRANVILLE, W.Va. (AP) - U.S. Department of Agriculture employees have killed eight coyotes in a hilltop shopping center complex near Morgantown. They aren't sure how many remain nearby. The Monongalia County town of Granville hired the USDA under a \$2,600 contract last year to kill as many as 10 coyotes believed to be living behind the Wal-Mart at University Town Centre. They were suspected of taking small animals and trash from the complex. Municipal Administrator Ron Snyder tells The Dominion Post (<http://bit.ly/z5pd5q>) the coyotes were shot at night and away from shoppers. Residents have been

advised to keep their pets leashed and vaccinated against rabies.

MARYLAND

SALISBURY DAILY TIMES

Harris hearing may end up in anti-fracking film WASHINGTON -- The arrest of a documentary filmmaker at Rep. Andy Harris' hearing on hydraulic fracturing last week likely will become fodder for a movie. Director Josh Fox said during an interview that he expects to feature his arrest in "Gasland II," a documentary on the fracking industry's influence on Congress, due out sometime this summer. It's the sequel to his Oscar-nominated documentary on the dangers of fracking, a process used to extract gas and oil from shale. Fox was charged with unlawful entry when he tried to film the hearing without media credentials. He said the "direct influence" of the oil and gas industry on Congress played a role in his arrest. "There's a lot of editing to go," he said. "But this sums up what we have been investigating in a very blatant way -- that every dollar that the fracking industry contributes to Washington is a contaminant to democracy." Harris, R-Md., who chairs the House Science, Space and Technology Subcommittee on Energy and the Environment, said following the hearing that the Capitol Police treated Fox as they would any other person who violated House or committee rules. His spokesman, Ryan Nawrocki, said Harris did not ask the police to intervene or arrest Fox and that the congressman had no conversations with anyone in the oil and gas industry concerning Fox or his conduct at the hearing. "Mr. Fox's own actions are what led to his arrest," Nawrocki said. "Not his assertions about the influence of oil and gas companies."

Chicken manure to power ECI plant PRINCESS ANNE -- At a penny per pound, Eastern Shore farmers would hardly strike it rich. But a Virginia company's proposal to buy 8,000 tons of chicken manure a year to produce electricity at the state's largest prison is a lucrative alternative for Delmarva farmers with more animal waste than they need. "Chicken litter is a pretty hot commodity," says Chuck West, a chicken grower and farmer in Millsboro. "I'd be willing to sell some to the company." EcoCorp, Inc., of Arlington, Va., unveiled a proposal in Somerset County last week for a 1 megawatt renewable energy plant at Eastern Correctional Institution that would produce biomethane fuel from poultry manure and energy and cover crops as well as organic fertilizer.

What is the real cost of litter? This year, Waste Watchers asked students "What is the real cost of litter on the Eastern Shore?" Three winners were selected. Liam Kelly is a seventh grader at Broadwater, Stephen Hall is a fourth grader at Pungoteague and Monique Ayers is an eighth grader at Northampton High.

CUMBERLAND TIMES-NEWS

Commentary; Other reports say to beware of fracking Scott Cline writes that fears being voiced in the Times-News about hydraulic fracturing are long on fiction and short on facts, then proceeds to explain why fracking is so safe ("Unfounded fears about shale gas obscure facts," Jan. 25 Times-News. My first question was who is Scott Cline? A little research showed that he was employed by Gulf Oil (now Chevron) before working for several oil and gas companies in the Houston area as an engineer and senior manager. His academic background is impeccable, but are his views unbiased? I am far less sanguine about the benefits of fracking the Marcellus Shale than Dr. Cline after reading a detailed summary of a year long investigative report by the New York Times, a report so well researched that the Times has not had to retract a single statement according to R.F. Kennedy. (For article, google: The Fracking Industry's War on The New York Times and the Truth.) Kennedy, who sits on Gov. Cuomo's fracking advisory panel, says that recent studies have raised serious doubts about gas industry's portrayal of Marcellus Shale gas as the salvation of U.S. energy problems. For one, the U.S. Geological Survey has concluded that the original estimate of gas reserves was off by 80 percent. All those rosy industry projections of jobs, royalties, economic benefits they keep hyping seem questionable. Irresponsible drilling results in massive costs to communities in terms of poisoned well water, noise and dust, and reduced property values. And the

industry is not â€” and has so admitted â€” going to pay the costs of repairing roads that heavy truck traffic destroy. Guess who gets to take care of that cost? Kennedy goes on to say, â€œAmong the revelations uncovered by the Timesâ€™ admirable reporting; Sewage treatment plants in the Marcellus region have been accepting millions of gallons of natural gas industry wastewater that carry significant levels of radioactive elements and other pollutants that they are incapable of treating.â€

Letter: You'll have to be rich to breathe Md. air if they begin taxing it Let me see Marylanders, can you think of any more ways our elected officials can raise taxes in Maryland? First there was the flush tax to save the Chesapeake. Then there was sales tax raised from 5 cents to 6 cents on the dollar. Then we had toll fees at the Bay Bridge go up. Then we had car registration fees increase, along with vehicle tag prices increase. Now the politicians in the Maryland House are proposing an increase in gas taxes, as if we arenâ€™t paying enough at the pumps right now. What happened to the alternate ethanol fuel, which by the way is already at the pumps. When you pump your gas, you are getting 10 percent ethanol. That was supposed to help lower price of gasoline. Are we getting a break at the pumps? All the talk that went into lower gas prices, and less dependant on foreign oils was just a hype. During the campaign for governor last term, Bob Ehrlich was defeated because it was said that he was for higher taxes. What do we have in office now? What will be taxed next, and when? The air we breath. Maryland is classed as the richest state in the union. Youâ€™re going to have to be rich to be able to live in Maryland after our elected officials come up with additional ways to raise money. I say itâ€™s time the politicians live within their means. People everyday are leaving Maryland in search of cheaper living. Whereâ€™s it all going to end? With all the high numbers of people unemployed, and the economy the shape itâ€™s in, I say this is not the time to even think of raising gasoline taxes, or any tax for that matter. This will take a big bite out of the working men and womenâ€™s paychecks each week. Some working men and women havenâ€™t received a raise in pay for the last few years, and trying to keep up with the cost of living increases. As I said before, everyone in Maryland is not rich like the politicians. All the people of this fair state want is a honest deal so they can make an honest living, meet their obligations as family men and women, and put a little away for a rainy day, and be self sufficient, and not look to the government to keep them. Itâ€™s like our pants pockets are full of holes, and the money keeps disappearing. I say enough is enough.

Letter: Spending on non-academic projects causing the problem Mr. Longâ€™s poignant comments regarding school closings were good (â€œIs not a school more than just a school?,â€ Feb. 1 Times-News), however, he missed the sole reason for the closings â€” that the Garrett county Commissioners and their leader are too committed to adventure sports and relative extravagant non-academic ventures. The prior administration and the continuing administration continues to emphasize the need for sports. The expenditure of the \$20 million for swimming pools, which will never be self sustaining, will extract taxpayers monies for years. Further, fiasco whitewater millions will also drain the taxpayers for years. Note, that when the swimming pools were front page news in this paper â€œConstruction near on McHenry rec, athletic complex: \$23M facility will include 2 indoor pools, 3 basketball courts,â€ April 22, 2010), joining the news on the next line (same page) was the mention that the school board was unable to pay for textbooks for the kids! (â€œBleak budget wonâ€™t allow for new textbooks.â€) The county administrator continues to tell the taxpayer that the commissioners have no say over the school board and disastrous closings. That is comparable to the statement that the gas has no relation to the wheels turning on a car. Without the gas, the car will still run!! Some clarity please, and some application to what the county needs for our kids: continuing communities, not consolidation.

ASSOCIATED PRESS (Md.)

Md. delegate presents bill to ban arsenic in feed ANNAPOLIS, Md. (AP) â€” Delegate Tom Hucker is planning to present his bill to ban arsenic compounds from poultry feed to the House Environmental Matters Committee. Hucker, a Democrat from Montgomery County, along with former Gov. Harry Hughes, Attorney General Doug Gansler, public health and environmental experts, is expected to give testimony Wednesday afternoon. Supporters of the bill say arsenic in chicken feed contaminates chicken meat as well as chicken waste, which can end up in the Chesapeake Bay. Some also say it increases risks of cancer, heart disease and diabetes.

VIRGINIA

RICHMOND TIMES-DISPATCH

Oysters on the increase over past decade Finally, there's some sweet news about the Chesapeake Bay oyster. Virginia's harvest of the tasty creature increased tenfold over the past decade, Gov. Bob McDonnell announced Tuesday. The catch rose from about 23,000 bushels in 2001 to 236,000 in 2011, officials said. The dockside value of the harvest during that time increased from \$575,000 to \$8.26 million. "I applaud the actions of previous gubernatorial administrations which have helped Virginia oysters to make such a vigorous comeback, and we are committed to furthering the growth of this local industry in the years ahead," McDonnell said in a statement. Still, the harvest is far below that of the 1960s, when watermen commonly pulled up 1 million to 3 million bushels a year. The industry has been devastated in recent decades by two diseases that don't hurt people but kill oysters when they reach market size at about 3 years old. The recent comeback stems largely from a management technique, begun in 2008, in which harvest areas are opened for a season then closed for one or two seasons, officials said.

New tests indicate chlorine might be going down in Henrico ponds Chlorine levels in two Henrico County ponds, where more than 1,000 fish died, might be coming down. State water tests Monday afternoon found chlorine was still illegally high but much lower than the levels found that same morning, officials announced Tuesday. The tests are part of a Department of Environmental Quality investigation into the killing of about 1,100 fish in the ponds in Winchester Green in far western Henrico. DEQ officials believe the fish died because chlorinated water rushed into the ponds when a nearby drinking-water line broke Jan. 27. The fish kill was reported three days later. Henrico officials are skeptical that the water-line break is the cause. Two tests Monday morning found chlorine in the larger, 3-acre pond at more than 10 times the legal limit. Three tests that afternoon found levels still above the limit, with the highest finding slightly more than twice the limit. It's unclear why the Monday afternoon tests showed chlorine levels so much lower than earlier that same day, DEQ spokesman Bill Hayden said. It's possible, he said, that chlorine in the water is dissipating naturally. "It shows that there is more chlorine in the water than there should be," Hayden said. "That's what we would like to figure out the reason for and what needs to be done about it." The DEQ also ran two tests on water upstream at Wilde Lake. The chlorine level in each case was slightly more than twice the legal limit. No one has reported dead fish there. Meanwhile, Henrico also ran tests in the Winchester Green pond Monday, finding chlorine from about double to about nine times the legal level.

Chesterfield supervisors to discuss comprehensive plan proposal Bill Woodfin has an idea for what the Chesterfield County Board of Supervisors should do with the draft comprehensive plan that's up for discussion at a work session on Wednesday. But he's a realist, too, so he's not holding out much hope. "I think they should say, 'It just didn't work,'" said Woodfin, a longtime Chesterfield resident and former director of the Virginia Department of Game and Inland Fisheries. "They tried an approach and it didn't work. But I understand there's a lot of money in it, and they'd have a hard time explaining that." A draft version of a new comprehensive plan has been in the works for nearly three years. The board will approve the plan, reject it or send it back for more study, or some combination thereof, after discussing it at the work session. If approved, the plan would replace the 21 area plans the county now uses to guide development and land use. It would be the first countywide plan adopted in more than 20 years.

NORFOLK VIRGINIAN PILOT

Va. forestry officials selling tree seedlings RICHMOND The Virginia Department of Forestry is urging landowners to order tree seedlings from the agency's annual sale while supplies are still in stock. The department says several varieties have already sold out, including yellow poplar, white dogwood, and shortleaf and loblolly pine.

Lawmaker: Trip to France dissuaded him on uranium mining A Hampton Roads lawmaker was the leading

recipient of gifts and free trips from private interests last year among the 140 members of the Virginia General Assembly. Del. John Cosgrove, R-Chesapeake, received gifts and trips valued at \$15,775 - almost as much as his \$17,640 annual salary as a delegate. But if his biggest benefactor was trying to win his favor, Cosgrove said Monday, it didn't work. The bulk of the largesse directed at Cosgrove was the \$12,449 spent by Virginia Uranium, the company lobbying to establish a uranium mine in Pittsylvania County. The company sent Cosgrove and several other lawmakers to visit a mine site in France. The purpose of the trip, Cosgrove said, was to reassure the Virginia legislators that uranium could be mined safely with no chance of contaminating Lake Gaston, a major source of Hampton Roads' drinking water that lies downstream from the proposed mine site. But the trip convinced him of the exact opposite, Cosgrove said. "They never showed us beyond any doubt that there couldn't be some catastrophic effect on our drinking water," he said. "I came back thinking that uranium mining is probably not in the best interest of Hampton Roads." Altogether, Virginia Uranium showered \$120,000 on Virginia lawmakers last year, nearly half the \$245,000 total value of the gifts that lawmakers received, according to a compilation of legislators' financial disclosure statements by the Virginia Public Access Project, a nonprofit tracker of money in politics. The target of Virginia Uranium's lobbying - Virginia's 30-year-old ban on uranium mining - will stay on the books for at least one more year. Gov. Bob McDonnell and the Assembly leadership have postponed consideration of the issue until the 2013 Assembly session.

NEWPORT NEWS DAILY PRESS

Hampton Roads lawmakers push Virginia for sea level rise study With its low-lying military bases and waterfront houses, Hampton Roads is more vulnerable to sea-level rise than most of the United States. Yet there is no coordinated plan to adapt to waters that, combined with slow-sinking land around the Chesapeake Bay, threaten to submerge entire neighborhoods by 2100. One Republican and six Democratic state lawmakers hope to change that with a first-of-its-kind study that would inventory what's been done and what can be done to mitigate the effects of sea level rise in coastal Virginia. They are sponsoring a General Assembly resolution asking the Virginia Institute of Marine Science to perform the study, which backers say will give them leverage when seeking state and federal aid to address the issue. "This isn't something we can ignore. We're going to have to deal with it now," said Bryan Pennington, director of the city of Norfolk's Office of Intergovernmental Relations. Norfolk and other low-lying localities such as Hampton, Poquoson and Gloucester County routinely flood during hurricanes and other powerful storms. The events cause millions of dollars of damage and occasionally serious injuries or death. It's a trend that scientists say will worsen because land around the bay is subsiding and water levels are rising. For example, Sewell's Point in Norfolk is losing 2.72 millimeters of land per year, according to VIMS. Scientists attribute the loss to land movements, including the effects of a crater caused by an asteroid that struck the lower bay 35 million years ago.

STAUNTON NEWS LEADER

Rockingham rejects Marcellus Shale drilling plan **BERGTON** "Carrizo Oil and Gas had every reason to believe this rustic town in the foothills of the Blue Ridge Mountains was an ideal place to build Virginia's first well to explore for natural gas in the state's Marcellus Shale. Carrizo liked Bergton's location " eight miles from the West Virginia border, not far from where other operations are extracting gas. Carrizo bet that gas was locked in the shale under the town and put up tens of thousands of dollars for landowner leases as collateral. All it needed to start the job was a special land-use permit from the four Republicans and one Democrat on Rockingham County's Board of Supervisors. Carrizo didn't even come close. Concerned about controversial drilling methods, the supervisors never voted on the permit, and recently the company shelved its application following a two-year pursuit, ending its immediate hopes of exploring for gas. The rejection in Rockingham County was yet another hard knock against companies trying to extract natural gas from the Marcellus Shale. Negative publicity about water contamination at drilling sites in the Chesapeake Bay region and out west in Texas, Wyoming and Oklahoma is raising concern even among those who support gas exploration. Virginia has 7,700 natural gas wells in operation, but none extracts gas from the rich Marcellus " a prehistoric shale formation that runs from Ohio to lower Virginia and entombs one of the most bountiful gas reserves in the world, according to the Energy Information Administration. No other company has approached Virginia since Carrizo abandoned its permit application.

LYNCHBURG NEWS AND ADVANCE

Soil and storm water workshop at Sweet Briar The Robert E. Lee Soil Water Conservation District is hosting a soil and storm water management workshop on Feb. 22 at 9 a.m. at the Sweet Briar College Conference Center on campus. Topics will include storm water regulations, storm water and sediment management, low-impact development, soil improvements, Chesapeake Bay initiatives and permits. Register by Feb. 15 by contacting: Anne Marie Clarke at: (434) 851-7043 or anne.Clarke@releeconservation.com. A \$15 fee includes registration and lunch. This workshop is supported by funds generated by the sale of Chesapeake Bay license plates.

WAYNESBORO NEWS-VIRGINIAN

Editorial: Thoughts on the Bay No one wants the Chesapeake Bay to be anything but healthy, but how to clean its water continues to be a source of debate. That's why Augusta County officials are on the right track in asking the state and federal governments for suggestions on how to reduce nutrient pollution that runs into the Bay. The Environmental Protection Agency requested that Virginia localities develop plans to curb pollution going to the Bay watershed, but meeting water-quality goals could be expensive for localities, or worse, for landowners and farmers. So Augusta County Administrator Patrick Coffield last week sent a letter to the director of the state Department of Conservation and Recreation, encouraging that agency and the EPA to "develop cost-effective, practical and scientifically proven strategies" for meeting the reduction goals. Rep. Bob Goodlatte said Tuesday that he supports the local request for ideas. Over the past 25 years, Virginia has reduced sedimentation and phosphorous and nitrogen pollution by 50 percent, he said. And that was without federal control and with a "voluntary, incentivized" program, the congressman noted. Augusta County supervisors will discuss the Bay at a meeting tonight. Anyone interested in the issue should attend, and offer input. The Bay needs help, for sure, but no one wants to see farmers put out of business in the process.

VIRGINIA BUSINESS MAGAZINE

Virginia oyster production soars Virginia last year had its best oyster harvest in more than 20 years following a strict management plan implemented four years ago. In 2011, Virginia's oyster harvest was 236,000 bushels with an estimated dockside value of \$8.26 million. That is a 10-fold increase over the 23,000 bushels harvested in 2001. The last time oyster production was as high was in 1989, with more than 272,000 bushels. For the past four years the Virginia Marine Resource Commission (VMRC) has used a rotational harvest system, sanctuaries and targeted shell plantings on public oyster grounds. Oyster production typically reached more than 1 million bushels in the 1960s, but two diseases, Dermo and MSX, have spread throughout the Chesapeake Bay. The diseases don't transfer to humans, but kill oysters when they reach marketable size around three years. In 1998, Virginia's oyster production reached a low of 20,250 bushels. "The strides have been remarkable, and indications are this year's harvest may be the best we've seen in 25 years," said VMRC Commissioner Steven G. Bowman. "It can get even better if we stay the course and continue to spend the funds necessary to maintain our current level or productivity." Many efforts have been made to fight the disease, but the plan enacted four years ago appears to be working. The rotational harvest areas mean certain areas are open on a staggered basis for one harvest season and then closed for one or two years to allow the oysters to grow to market size and be harvested before they are killed by the disease.

ASSOCIATED PRESS (Va.)

Va. oyster harvest up sharply in past decade NEWPORT NEWS -- Virginia's oyster harvest has grown tenfold in the past decade to 236,000 bushels in 2011 and a dockside value of \$8.2 million, state officials announced Tuesday. Gov. Bob McDonnell credited the rebound to the Virginia Marine Resources Commission and its promotion of sanctuaries, targeted shell plantings in public oyster grounds and other measures. "Virginia oysters are not only delicious, they are also profitable," McDonnell said in a statement. "Our oysters are hitting tables all across the nation and the world, on the half-shell, fried, steamed, roasted and in stew." In their heyday, oyster reefs were so thick in the bay some likened the catch industry to a mining operation rather than a commercial fishery. While

improving, the harvest is still puny compared to historic highs in the 1950s and 1960s when Virginia's oyster harvest peaked at 4 million bushels in 1958-59 and remained near or above 1 million bushels into the 1970s, then steadily declined through the decades. The Chesapeake Bay's current oyster population is a single-digit percentage of historic highs. One strategy promoted by the Marine Resources Commission includes a rotational harvest system. Under this system, harvest areas are opened on a staggered basis that allows oyster stocks to regenerate and be ready for harvest before disease strikes.

MISCELLANEOUS

BLOOMBERG BUSINESS NEWS

Fracking's Toll on Pets, Livestock Chills Pennsylvania Farmers Smelling gas one morning, a southern Pennsylvania farmer almost passed out when he went outside to check on his bellowing cows. One of the animals did keel over, kicking its feet in spasms. A couple of days later, a calf was fighting for its life, the farmer said. It died. Something awful is happening over the Marcellus Shale, the vast geological formation in eastern North America where energy companies are looking for natural gas. Hydraulic fracturing, or fracking, a process for extracting gas by injecting high volumes of water and chemicals into deep wells, has sparked complaints about ruined landscapes and fouled groundwater. Increasingly there is evidence, mostly anecdotal, that animals are suffering. A new study by veterinarian Michelle Bamberger and Robert Oswald, a professor of veterinary medicine at Cornell University, chronicles case studies of dozens of farmers and pet owners in six states over the Marcellus Shale. Their findings, published in "New Solutions: A Journal of Environmental and Occupational Health Policy," are a harrowing account of sudden deaths of cattle, as well as reproductive and neurological problems in horses, cats, dogs and other animals. The Pennsylvania farmers I spoke with have lost cows, calves, a horse, a couple dozen chickens. Many of the animals succumb in the same way: seizure-like symptoms, gasping for breath and a quick wasting away. A Rottweiler and a Dalmatian also fell ill and died. These farmers are getting out of the beef business, in part over concern that their animals will become delivery systems for contaminants. An organic farmer from southeast Ohio told me he has abandoned his cash crop, ginseng, for now, concerned that contaminants would enter his product. He began noticing changes around his 20-acre property in 2007, when a fracking operation began dumping wastewater nearby. He lost quite a few deer that were drawn to the brine and antifreeze in the fluid. Energy representatives dismiss the veterinarians' study. They say that health indicators have actually improved in areas with shale development. "The paper is little more than a collection of personal testimonials that cannot be independently assessed or verified," says Steve Everley, a spokesman for industry group Energy in Depth. "The paper is full of bold assertions about oil and gas development, but empty of any facts or scientific evidence to support those opinions."

Pa. poised to let counties impose fees on gas wells Pennsylvania's Senate passed a bill to let counties levy fees on natural-gas wells, which the state estimates may generate revenue of about \$211 million this year. Proceeds of the 15-year annual fees, based on the average price of natural gas, would mostly be used to help communities affected by drilling in Marcellus Shale deposits, according to the bill, which passed today, 31 to 19. The action in Harrisburg comes as several states consider measures to mitigate the effects of hydraulic fracturing, or fracking, to extract gas. In Ohio, lawmakers are weighing a fee on drillers that use the technique, while in Maryland, the government is evaluating whether to levy fees and taxes on the practice if it lets companies employ it there. Pennsylvania is also coping with receipts that have trailed budget estimates by \$497.2 million, or 3.5 percent, this fiscal year. "This money will serve numerous worthwhile purposes," Senate President Pro Tempore Joe Scarnati, a Republican from Brockway, said today before the vote. Some of the money would go to statewide environmental needs, according to the bill. Pennsylvania, the only major U.S. natural-gas producer that doesn't seek extraction taxes from drilling companies, has more natural-gas reserves contained in the Marcellus Shale formation than any other state. Governor Tom Corbett, a first-term Republican who campaigned on a pledge to hold the line on levies, has said taxing the industry would deter development. "The benefits of this growing industry are reaching

every corner of our state and we are determined to see this industry produce new jobs and increased savings," Corbett said. He said he would sign the bill should it reach his desk. The measure may be voted on in the House of Representatives this week.

Energy independence? U.S. is almost thereThe U.S. is the closest it has been in almost 20 years to achieving energy self-sufficiency, a goal the nation has been pursuing since the 1973 Arab oil embargo triggered a recession and led to lines at gasoline stations. Domestic oil output is the highest in eight years. The U.S. is producing so much natural gas that, where the government warned four years ago of a critical need to boost imports, it now may approve an export terminal. Methanex Corp., the world's biggest methanol maker, said it will dismantle a factory in Chile and reassemble it in Louisiana to take advantage of low natural gas prices. And higher mileage standards and federally mandated ethanol use, along with slow economic growth, have curbed demand. The result: The U.S. has reversed a two-decade-long decline in energy independence, increasing the proportion of demand met from domestic sources over the last six years to an estimated 81 percent through the first 10 months of 2011, according to data compiled by Bloomberg from the U.S. Department of Energy. That would be the highest level since 1992.

BNA DAILY ENVIRONMENT REPORT

Inspector General Calls for Improvements in EPA Superfund Site Reviews EPA's five-year reviews of superfund sites are helpful in determining how well cleanup remedies protect human health and the environment, but the agency could take steps to increase the effectiveness of the reviews, according to EPA's Office of Inspector General. The OIG in a report recommends, among other things, that EPA set up a process to resolve disagreements between headquarters and regional offices over how protective cleanup remedies are for specific sites. EPA delegates responsibility for completing the reviews to regional administrators, but the Office of Solid Waste and Emergency Response provides oversight.

Next Phase of EPA 'Tailoring Rule' Goes to White House for Review EPA sends a proposed rule on revisions to its greenhouse gas permitting program to the White House for review. The proposed rule is expected to solicit comments on the third step of the greenhouse gas tailoring rule. EPA is expected to propose phasing in its prevention of significant deterioration and Title V greenhouse gas permitting programs for additional emissions sources and possibly setting lower permitting thresholds in 2016. The proposal, which has not been released, also is expected to solicit comments on other steps to streamline the permitting process.

EPA's McCarthy Says Market Factors Causing Power Plants' Switch to Gas Environmental regulations are not the only factors causing power generators to reduce their reliance on coal and increase reliance on natural gas, a top Environmental Protection Agency official said Feb. 7. Low natural gas prices and the advanced age of coal-fired power plants also are playing a role in changing the fleet of electricity generating units, Gina McCarthy, EPA assistant administrator for air and radiation, told attendees at a forum addressing electricity reliability and environmental regulations. McCarthy said EPA expects only 9 gigawatts of coal-fired generation, or less than 1 percent of the country's electricity generating capacity, will be shut down as a direct result of environmental regulations. EPA finalized two air pollution rules in recent months that affect power plant emissions. One rule will reduce pollution of mercury and air toxics from utilities. The other rule, called the Cross-State Air Pollution Rule, will require power plants in 28 states to reduce interstate transport of nitrogen oxides and sulfur dioxide. The Feb. 7 forum was coordinated by the National Association of Regulatory Utility Commissioners and the Federal Energy Regulatory Commission to address compliance with the regulations. Compliance with the mercury rule is expected to begin in 2015 or later, and the cross-state rule has been stayed by a federal appeals court while litigation is ongoing.

EPA Seeking Models From Municipalities on Integrated Water Permit Plans EPA says it is looking to municipalities for models of water pollution control that integrate stormwater and wastewater planning as part of a broad cost-effectiveness initiative, an agency enforcement official says. Mark Pollins, director of the water division in the EPA Office of Civil Enforcement, makes the bid for "real-world scenarios" from municipalities at a

New York City workshop to discuss a draft integrated planning framework issued by the agency in January.

WBGH-TV BINGHAMTON

Cabot Upset with EPA's Decision Cabot Oil and Gas says the EPA has distorted facts regarding alleged well water contamination at homes in Dimock, Pennsylvania. The EPA is testing more than 50 wells in the area to see if hydro-fracking operations ruined water supplies. Cabot disagrees with the EPA's decision to investigate while paying for water to be shipped to families. The company says there is no evidence of a health threat. It also says EPA's data points are out of context and not representative of the volumes of data collected. Cabot claims that the federal agency has disregarded more recent data that better demonstrates the current conditions of the water wells and is using figures from several years ago. Cabot also alleges that a water sample cited by the EPA showing an arsenic level was NOT taken from a private well, but was from the Montrose area public water supply. Late last year, Pennsylvania's DEP agreed with Cabot that the wells are safe and Cabot could stop making water deliveries to a group of families.

NEW YORK TIMES

Pennsylvania Set to Allow Local Taxes on Shale Gas HARRISBURG, Pa. â€” The Pennsylvania Senate on Tuesday passed legislation that would authorize a tax on the shale gas industry and set uniform standards for development, changes that critics said would leave many municipalities with little control over the use of their land. Approval in the House was expected on Wednesday. The bill had been the subject of bitter controversy for months, pitting a number of municipalities against a powerful industry and state legislators eager to increase jobs and revenue. The measure was pushed by Gov. Tom Corbett, a Republican, who pledged to sign it into law. Lawmakers in Pennsylvania had been trying to agree on how to harness the development of the Marcellus Shale, a gas deposit under a large area of New York, Pennsylvania and Ohio. The industry is booming here, and supporters of the bill say it is high time to focus government's approach, or risk losing out on a valuable revenue stream. Critics, among them some municipalities and environmental groups, said the bill was a capitulation to the energy industry and would all but eliminate their ability to decide where gas development could happen. The measure would limit it in densely populated urban areas but not in suburban spaces, critics said. They also said the environmental and safety standards, like the requirement that wells be at least 500 feet from any house, were weak. â€œWe have been sold out to the gas industry, plain and simple,â€ said Todd Miller, a town commissioner in South Fayette Township who opposed the legislation. Myron Arnowitz, the state director for Clean Water Action, an environmental group, estimated that zoning laws in 100 to 200 municipalities would be in question.

ASSOCIATED PRESS

Shark attacks rise worldwide, but drop in Fla. SAN FRANCISCO â€” Conservative critics like to point out that the federal appeals court that just declared California's same-sex marriage ban to be unconstitutional has its decisions overturned by the U.S. Supreme Court more often than other judicial circuits, a record that could prove predictive if the high court agrees to review the gay marriage case on appeal. Yet legal experts seemed to think the panel of the San Francisco-based 9th U.S. Circuit of Appeals struck down the voter-approved ban Tuesday purposefully served up its 2-1 opinion in a narrow way and seasoned it with established holdings so the Supreme Court would be less tempted to bite. The appeals court not only limited the scope of its decision to California, even though the 9th Circuit also has jurisdiction in eight other western states, but relied on the Supreme Court's own 1996 decision overturning a Colorado measure that outlawed discrimination protections for gay people to argue that the voter-approved Proposition 8 violated the civil rights of gay and lesbian Californians.

HORNELL EVENING TRIBUNE (NY)

EPA mandates for Chesapeake Bay Watershed no threat to Canisteo in 2012 Canisteo, N.Y. â€” Though Canisteo could spend millions to keep ahead of impending EPA mandates, they won't be forking over the cash to update their wastewater treatment plant this year. Mayor Bill Tucker and Chief Operator Kevin Maine said the village is in compliance with EPA regulations for plants in the Chesapeake Bay watershed, but that new requirements could force the village to pay millions in updates several years from now. Canisteo, along with Alfred and Hornell, are

three of the most remote plants that fall in the watershed. Local officials have voiced concerns that the EPA is expected to install new, more stringent regulations for the emissions of nitrogen and phosphorus, despite evidence suggesting that local plants emissions donâ€™t impact the bay. Tucker said Canisteo might have to spend \$3 million-\$4 million to meet the future upgrades. For now, though, the village wonâ€™t have to spend the money. Along with members of the Farm Bureau and state and federal representatives, local officials met last week to discuss an approach to preventing the implementation of the EPAâ€™s new mandates. Several local officials have already discussed filing a lawsuit that would halt the installation of the new mandates. Village officials also discussed writing letters to state and federal officials to urge them to act on the issue.

TODAY'S SUNBEAM (NJ)

\$16.9M released to further dredging of Delaware River Nearly \$17 million in federal funds will be allocated by the Army Corps of Engineers to continue deepening of the Delaware River shipping channel by five feet. U.S. Rep. Rob Andrews said Tuesday he has been advised by the Army Corps the money will be released as part of this yearâ€™s allocation to the agency. While the funds are not designated for any specific purpose, Andrews, D-Haddon Heights, said the Army Corpsâ€™ plan is to spend it on the Delaware. The money, if allocated, would go toward deepening the river channel from 40 to 45 feet in an area between Penns Grove and the Beckett Street Marine Terminal in Camden, said Ed Voight, chief of public and legislative affairs for the Corpsâ€™ Philadelphia regional office. The funds would not cover the entire cost of dredging the entire stretch of river from Penns Grove to Beckett Street, he acknowledged. "There may be two or three contracts to accomplish that," Voight said. Part of the affected section of river would involve blasting rock in the vicinity of Marcus Hook, Pa., officials said earlier. Since the award has yet to be officially announced, there would be time to decide where the funds would be put to use, Voight said. He expects contracts would be awarded before September with work started by the end of the year. Andrews, who is opposed to the river dredging on the grounds the overall \$265 million project wonâ€™t produce an economic benefit to the region and poses an environmental risk, said he hoped to bottle up the award. "There is a legislative process that it has to go through," Andrews said. "There is a chance to undo this decision." The federal government is supposed to finance two-thirds of the 102-mile long dredging project from the Benjamin Franklin Bridge to where the Delaware Bay meets the Atlantic Ocean. To date, the federal government has expended about \$4 million. The Commonwealth of Pennsylvania, a dredging proponent, has put up \$40 million.

PUBLIC NEWS SERVICE

Up to \$100000 Available for Green Streets-Green Jobs-Green Towns ANNAPOLIS, Md. "The U.S. Environmental Protection Agency (EPA) is announcing today (Wednesday) that grants of up to \$100,000 are available throughout the Chesapeake region, to help communities design and construct watershed protection plans. It's called the Green Streets-Green Jobs-Green Towns initiative. EPA Regional Administrator Shawn Garvin is in Forest Heights, Md., to highlight what's been done with previous grants at a roundtable meeting. He says improving the health of Chesapeake Bay requires thinking "outside the pipe" "planting trees and gardens, and installing walk and bike pathways while improving storm water runoff. "By applying these cost-effective solutions for improving the health of the Chesapeake Bay, communities are also building a stronger and more sustainable America." Grants of up to \$35,000 are available for project planning and design, with up to \$100,000 available for construction. Dr. Jana Davis, associate executive director of the Chesapeake Bay Trust, says her group is managing the program in partnership with the EPA and the state of Maryland. "This isn't just about the Bay; it's the local streams and the local waterways that make up the Chesapeake watershed. This idea of green streets touches on both the environmental restoration as well as the citizen stewardship." Davis adds the beauty of the program is that it presents opportunities to boost local economies, protect water resources and create closer-knit neighborhoods. "Help communities become greener, improve livability, walk-ability, and really get community residents reconnected with their natural environment." Local governments and nonprofits are invited to apply in Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and Washington, D.C.